IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT PETITION NO : 4250 of 2002

Between:

1 Kalva Ravi S/o Ailaiah
R/o Chinthalathana Village, Sircilla Mandal, Karimnagar Dist
2 Bigala Balaish s/o Lakshmaiah,
R/o Chinthalathana Village, Sircilla Mandal, Karimnagar Dist
3 Kalva Ailaiah s/o Bhoomaiah
R/o Chinthalathana Village, Sircilla Mandal, Karimnagar Dist
4 Kalva Devaiah s/o Mallaiah
R/o Chinthalathana Village, Sircilla Mandal, Karimnagar Dist
5 Indarapu Narsaiah s/o Sahebu
R/o Chinthalathana Village, Sircilla Mandal, Karimnagar Dist

..... PETITIONER(S)

AND

1 District Collector,
Karimnagar District.
2 Mandal Revenue Officer,
Sircilla Mandal, Karimnagar District.
3 Cheraplli Sayanna @ Sayabu, s/o Veeraiah,
R/o Chinthalathana Village,
Sircilla Mandal, Karimnagar District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to

issue a writ of Mandamus or any other appropriate Writ or Writs, order or Direction, declaring the inaction of the Respondents No.1 and 2 for stopping using of the water for agricultural purposes from the third respondent's bore well, as illegal and arbitrary and consequently direct the Respondent No.1 and 2 herein to take immediate steps to close the bore well of the third respondent situated near to Government Borewell in Chinthalathana Village of Sircilla Mandal, Karimnagar District; Award costs and pass such other or further orders as are deemed fit and proper in the circumstances of the case.

Counsel for the Petitioners:MR.P.VENKATASWAMY : Not present

Counsel for the Respondent Nos.1 and 2: GP FOR REVENUE

Counsel for the Respondent No.3: Mr. Y. Ashok Raj

The Court made the following Oral Order: (per Sri Devinder Gupta, CJ)

None for the petitioners.

On 16.12.2002, after perusal of the affidavit of the Mandal Revenue Officer, Sircilla Mandal, Karimnagar District, a detailed order was passed directing the Mandal Revenue Officer, Sircilla Mandal, Karimnagar District to reconsider the matter within a period of one week and pass appropriate orders in accordance with A.P. Water, Land & Trees Act, 2002.

As nobody is present for the petitioners, we presume that the Mandal Revenue Officer, Sircilla Mandal, Karimnagar District must have passed an order, by which, petitioners must have been fully satisfied, which alone, appears to be the reason for the absence of petitioners' counsel.

The writ petition is accordingly dismissed. No costs.

_____ DEVINDER GUPTA, CJ

Date: 6th December, 2004

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M. NARAYANA REDDY, J

Pnb

To

1. The District Collector, Karimnagar District, Karimnagar.

2. The Mandal Revenue Officer, Sircilla Mandal, Karimnagar District.

3. Two C.Cs. to the Government Pleader for Revenue, High Court Buildings, Hyderabad. (OUT)

4. Two C.D. copies